

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ALABAMA**

**CLEON ABRAMS, SR., et al.,**

**Plaintiffs,**

**v.**

**CIBA SPECIALTY CHEMICALS  
CORPORATION, et al.,**

**Defendants.**

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**CASE NO. 08-68**

**MOTION OF DEFENDANTS TO WITHDRAW MOTION TO STRIKE**

COME NOW Defendants, and respectfully withdraw the motion to strike Marco Kaltofen as an expert witness in this matter (Doc numbers 147 and 150). Defendants reserve the right to renew said motion in the event new or additional materials prepared in support of his expert report and opinions contained therein are subsequently provided. By filing this motion, Defendants are not waiving their right to seek, exclude or limit the opinions and testimony of Marco Kaltofen, including on the basis of information, data, and reference materials provided to Defendants after the Plaintiffs' expert disclosure deadline as set by the Court.

Respectfully submitted,

/s/ F. Grey Redditt, Jr.

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served on the following counsel of record by electronically filing with the Clerk of the Court using the CM/ECF system which will send notification of such filing on April 17, 2009:

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